

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
W/S Bowleys Quarters Road, \* ZONING COMMISSIONER  
140' S of the c/l of Burke Road \* OF BALTIMORE COUNTY  
(1536 Bowleys Quarters Road) \*  
15th Election District \* Case No. 91-131-SPH  
5th Councilmanic District \*  
Frederick W. Krueger \*  
Petitioner \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the nonconforming use of the subject property as a multi-family dwelling on a single lot in an R.C. 5 zone in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Nancy E. Dwyer, Esquire. Also appearing on behalf of the Petition were George Dorn, Hunter Roppelt, Frederick W. Discher, Laurence France, Calvin J. Clark, Jr., and William Bafitis, Professional Engineer with Bafitis and Associates, Inc. Appearing as interested parties were Karen McKenna and Diane Voss.

Testimony indicated that the subject property, known as 1536 Bowleys Quarters Road, consists of 0.45 acres zoned R.C. 5 and is improved with two dwellings. The dwelling to the front of the property is a two story frame dwelling containing two apartments on the first floor and one apartment on the second floor and the dwelling to the rear of the property contains one apartment. Mr. Krueger testified he purchased the property from Mr. Discher in the early 1980s at which time the four apartments existed. To the best of his knowledge, the property has been used continuously and without interruption as four apartments since its construction in the 1930s.

Frederick Discher testified that his mother purchased the subject property in 1934 and that he was raised in the dwelling on the front of the property. Mr. Discher testified that at the time of his mother's purchase of the property, only the first floor apartments existed. He testified that in the 1940s, his parents added the second story to the front dwelling to create a third apartment. Testimony indicated that the property was used as four apartments continuously and without interruption until Mr. Krueger's purchase. Mr. Discher indicated that at various times some of the apartments were used by family members and at other times were rented out.

Calvin Clark and Hunter Roppelt testified that they have lived in the area since the middle 1930s. Both Mr. Clark and Mr. Roppelt testified in support of the relief requested and indicated their concurrence with Mr. Discher's testimony. Mr. Discher, Mr. Clark and Mr. Roppelt all testified the subject property has existed as four apartments since prior to the effective date of the zoning regulations.

Karen McKenna and Diane Voss appeared as interested parties in this matter; however, both testified in opposition to the relief requested. Ms. McKenna and Ms. Voss testified that their mother, Mrs. William Osterhaus, lives on the adjoining property known as 1530 Bowleys Quarters Road. Testimony indicated that their mother has had difficulty getting permission to install a new septic system for her single family dwelling and has had to enter into a covenant agreement with the Department of Environmental Protection and Resource Management (DEPREM) concerning what type of septic system can be installed. Ms. McKenna and Ms. Voss questioned why their family has had such difficulty in obtaining permits for a new septic system for one dwelling while the subject property is able to have four apartments

on one lot and is not restricted by DEPREM. It was explained at that time that the concerns they raised were not at issue in this instance and that there were no negative comments submitted by DEPREM as to the relief requested in this matter.

All nonconforming use cases must be tested against the standards set forth in Section 104 of the B.C.Z.R. The Petitioner presented testimony and evidence to support those standards.

After due consideration of the testimony and evidence presented, it is clear that the use of the subject property as four apartments has been continuous and without interruption since prior to the effective date of the zoning regulations and as such, a legal nonconforming use exists. While the Protestants argued that some of the apartments were vacant for more than one year, they could not specifically identify those dates and in what instances any apartment was vacant. Their testimony was too vague to find that as a matter of law, the use of the property as four apartments had lapsed. Further, the testimony presented by Messrs. Discher, Clark and Roppelt was very clear that the apartments were never vacant.

In light of the subject property existing within the Chesapeake Bay Critical Areas, Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) must also be examined.

The written comments submitted by Robert W. Sheesley, Director of DEPREM, dated November 7, 1990, indicate the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the B.C.Z.R. and should therefore be granted.

The evidence presented indicates that the use of the subject property as four apartments has existed since prior to the effective date of said regulations. Since no expansion or intensification of its use is

planned, the relief requested is not subject to the requirements of Critical Areas legislation as determined by the Department of Environmental Protection and Resource Management in accordance with their comments submitted hereto.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of November, 1990 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a multi-family dwelling on a single lot in an R.C. 5 zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING  
Date 11/27/90  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/27/90  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/27/90  
By [Signature]

#### PETITION FOR SPECIAL HEARING CRITICAL AREA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-131-SPH  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use allowing a multi-family dwelling on a single lot in a R.C. 5 zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	Frederick W. Krueger
City and State	(Type or Print Name)
Attorney for Petitioner:	1536 Bowleys Quarters Road 335-3267
Nancy E. Dwyer	Address Phone No.
(Type or Print Name)	Baltimore, Maryland 21220
Signature	City and State
814 Eastern Boulevard	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address	Frederick W. Krueger
Baltimore, Maryland 21221	City and State
City and State	Name
Attorney's Telephone No.: 686-8274	1536 Bowleys Quarters Road 335-3267
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12 day of Sept 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13 day of Nov 1990, at 2 o'clock P.M.

*J. Robert Haines*  
Zoning Commissioner of Baltimore County

zco-No. 1 (over)  
ORDER RECEIVED FOR FILING  
Date 11/27/90  
By [Signature]

Bafitis & Associates, Inc.

#### ZONING DESCRIPTION

#1528 Bowleys Quarter Road

Beginning at a point on the West side of Bowleys Quarter Road, which is 55 feet wide, at a distance of 140 feet ± South of the centerline of the intersection of Bowleys Quarter Road and Burke Road, 30 feet ± wide; thence the following courses and distances:

Beginning on said Bowleys Quarter Road along a curve to the right a distance of 64.65 feet per plat;

Thence: N.74 54' W. 275' ± (Plat 342') to a point on the East line of Galloway Creek;

Thence: along said Galloway Creek East line a distance of 72' ±;

Thence: S.76 30' E. leaving said Galloway Creek and proceeding a distance of 275' ± (Plat 233') to the Place of Beginning.

Being Lot #160, Section #1 in the subdivision of Bowleys Quarter recorded in Baltimore County Plat Book WPC7 Part 1-12, containing 0.45 Acres ±. Also known as 1528 Bowleys Quarter Road and located in the 15th Election District.

*M.S. Dallas* (Seal)  
M.S. Dallas, RLS  
Md. Reg. No. 10912

August 22, 1990

CRITICAL AREA #77

Civil Engineers / Land Planners / Surveyors — 1249 Engleberth Road / Baltimore, Maryland 21221 / 301-391-2336

Baltimore County Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt  
Account: R-001-6150  
Number  
No 3256

Date 8/22/90 H9100077

PUBLIC HEARING FEES	QTY	PRICE
040 -SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$175.00

LAST NAME OF OWNER: KRUEGER  
Krueger

0440400261CHRC \$175.00  
BA C003:27PH08-22-90  
Please make checks payable to: Baltimore County NEXT BUSINESS DAY

Cashier Validation:

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 15th Date of Posting 10/24/90

Posted for: Special Hearing

Petitioner: Frederick W. Krueger

Location of property: W/S Bowleys Quarters Rd., 140' S of Burke Rd., 1528 Bowleys Quarters Rd.

Location of Signs: Along Bowleys Qr. Rd. between 15' E. and 15' W. of Burke Rd.

Remarks:

Posted by: [Signature] Date of return: 10/26/90

Number of Signs: 1



# CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 18, 1990

THE JEFFERSONIAN,

S. Zake Orlin

Publisher

\$32.03

Bill # 78.03

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case number: 91-131-SPH  
1528 Bowleys Quarters Road,  
140' S of the c/l of Burke Road  
15th Election District  
5th Councilmanic District

Special Hearing: To approve a non-conforming use allowing a multi-family dwelling on a single lot.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
10223 Oct 18



Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account: R-001-6150

No 3863

Date

91-131

77306611

PUBLIC HEARING FEES QTY PRICE  
080 -POSTING SIGNS / ADVERTISING 1 X \$78.03  
TOTAL: \$78.03

LAST NAME OF OWNER: KRUEGER

04A04#0134NCHRC  
8A C001:40PH11-13-90 \$78.03

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

October 30, 1990

Frederick W. Krueger  
1528 Bowleys Quarters Road  
Baltimore, Maryland 21220

Dennis F. Rasmussen  
County Executive

Re: Petition for Special Hearing  
CASE NUMBER: 91-131-SPH  
4/S Bowleys Quarter Road, 140' S c/l of Burke Road  
1528 Bowleys Quarter Road

Dear Mr. Krueger:

Please be advised that \$78.03 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign and post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign and post sets, there will be an additional \$50.00 added to the above amount for each set not returned.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

October 1, 1990

## NOTICE OF HEARING

Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing  
CASE NUMBER: 91-131-SPH  
4/S Bowleys Quarter Road, 140' S c/l of Burke Road  
1528 Bowleys Quarter Road  
15th Election District - 5th Councilmanic  
Petitioner(s): Frederick W. Krueger  
HEARING: TUESDAY, NOVEMBER 13, 1990 at 2:00 p.m.

Special Hearing: To approve a non-conforming use allowing a multi-family dwelling on a single lot.

J. Robert Haines  
ZONING COMMISSIONER OF BALTIMORE COUNTY

cc: Frederick W. Krueger  
Nancy E. Dwyer, Esq.

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case number: 91-131-SPH  
1528 Bowleys Quarters Road,  
140' S of the c/l of Burke Road  
15th Election District  
5th Councilmanic District

Special Hearing: To approve a non-conforming use allowing a multi-family dwelling on a single lot.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
10223 Oct 18

## The Times

Middle River, Md., Oct 19, 1990

This is to Certify, That the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 19th day of Oct, 1990

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 19th day of Oct, 1990

Paul Rm Publisher.

RECEIVED

OCT 22 1990

LIQUOR BOARD

IN RE: PETITION FOR SPECIAL HEARING  
W/S Bowleys Quarters Road,  
140' S of the c/l of Burke Road  
(1528 Bowleys Quarters Road)  
15th Election District  
5th Councilmanic District  
Frederick W. Krueger  
Petitioner

## AMENDED ORDER

WHEREAS, the Petitioner herein requested a special hearing to approve the nonconforming use of the subject property as a multi-family dwelling in accordance with Petitioner's Exhibit 1 and was granted such relief by Order issued November 27, 1990;

WHEREAS, the Petitioner notified this Office by letter received November 7, 1991 that the Findings of Fact and Conclusions of Law issued in the above-captioned matter improperly identified the property as being known as 1536 Bowleys Quarters Road, the Petitioner's residence, and not 1528 Bowleys Quarters Road, the property for which the relief was sought;

WHEREAS, the Petitioner has requested that the Order issued in this matter be amended to reflect the correct address so that he may secure a loan for the property;

WHEREAS, a review of the case file and documents contained therein indicate that the relief requested was in fact for property located at 1528 Bowleys Quarters Road, as properly identified on the plat marked Petitioner's Exhibit 1; and that an amended Order is appropriate in this instance;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of November, 1991 that the Order issued November 27, 1990 be and the same is hereby AMENDED to reflect that the Petition for

Special Hearing to approve the nonconforming use of a multi-family dwelling located at 1528 Bowleys Quarters Road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued November 27, 1990 shall remain in full force and effect.

THOMAS M. KIVROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Karen McKenna  
418 Denton Way, Abingdon, Md. 21009

Ms. Diane Voss  
3605 Woodlea Avenue, Baltimore, Md. 21214  
Chesapeake Bay Critical Areas Commission  
Tawes State Office Building, D-4, Annapolis, Md. 21404

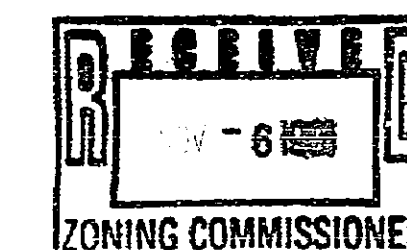
DEPRM

People's Counsel; File

ORDER RECEIVED FOR FILING

Date

By



November 6, 1991

Mr. Arnold Joblon  
Director of Zoning Administration and  
Developing Management  
Baltimore County  
111 West Chesapeake Avenue, Room 109  
Baltimore, MD 21204

Dear Mr. Joblon:

In reference to Case 91-131-SPH heard on November 13, 1991, there is a typographical error in the "Conclusion of Law" sent by Zoning Commissioner Robert Haines. The hearing was for property at 1528 Bowleys Quarters Road. The hearing notice and all correspondence show the property address of 1528 Bowleys Quarters Road. However, when Mr. Haines's "Conclusion of Law" were typed, my personal address was inserted, 1536 Bowleys Quarters Road, instead of the property in question 1528 Bowleys Quarters Road.

I would like to have a revised "Conclusion of Law" draft show the property address of 1528 Bowleys Quarters Road.

Thank you.

Sincerely,

Fred W. Krueger  
Fred W. Krueger  
1536 Bowleys Quarters Road  
Baltimore, MD 21220  
(410) 335-3267

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines  
Zoning Commissioner

DATE: November 7, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 77  
Krueger Property  
Chesapeake Bay Critical Area Findings

## SITE LOCATION

The subject property is located at 1528 Bowley's Quarters Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

## APPLICANT'S NAME

Mr. Frederick W. Krueger

## APPLICANT PROPOSAL

The applicant has requested a Special Hearing to approve a non-conforming use allowing a multi-family dwelling on a single lot in a RC-5 zone.

## GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>



Memo to Mr. J. Robert Haines  
November 7, 1990  
Page 2

#### REGULATIONS AND FINDINGS

1. Regulation: After program approval, local jurisdictions shall permit the continuation, but not necessarily the intensification or expansion of any use in existence on the date of program approval <COMAR 14.15.02.07>.

Finding: If this use is recognized as a non-conforming use, then its continuation, but not necessarily its intensification shall be permitted.

#### CONCLUSION

The Zoning Order shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

*Robert W. Sheesley*  
Robert W. Sheesley, Director  
Department of Environmental Protection  
and Resource Management

RWS:DCF:jw  
Attachment

cc: The Honorable Ronald B. Hickernell  
The Honorable Norman W. Lauenstein  
The Honorable Dale I. Volz  
Mrs. Janice B. Outen  
Mr. Frederick Krueger

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

October 30, 1990



Nancy E. Dwyer, Esquire  
814 Eastern Blvd  
Baltimore, MD 21220

Dennis F. Rasmussen  
County Executive

RE: Item No. 77, Case No. 91-131-SPH  
Petitioner: Frederick W. Krueger  
Petition for Special Hearing

Dear Ms. Dwyer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Frederick Krueger  
1536 Bowleys Quarters Road  
Baltimore, MD 21220

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
12th day of September, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Frederick W. Krueger

Petitioner's Attorney: Nancy E. Dwyer

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: October 22, 1990

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Frederick W. Krueger, Item No. 77

The Petitioner requests a Special Hearing to approve a non-conforming use allowing a multi-family dwelling on a single lot in an R.C.5 zone.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

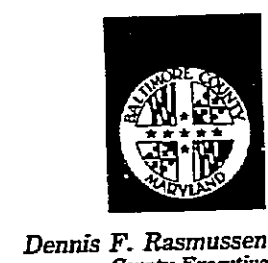
PK/JL/cmm

ITEM77/ZAC1

Rec  
10/25/90

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

October 1, 1990



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 51, 67, 72, 74, 75, 76, 77, 79, and 81.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/jw

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500  
Paul H. Reincke  
Chief

SEPTEMBER 6, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: FREDERICK W. KRUEGER

Location: #1528 BOWLEYS QUARTERS ROAD

Item No.: 77 Zoning Agenda: SEPTEMBER 11, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 19

REVIEWER: *Pat Keller* 9-4-90 Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
September 11, 1990

RECEIVED  
SEP 11 1990  
ZONING OFFICE

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING  
FROM: CHARLES E. BURHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES C.E.B.

SUBJECT: ZONING ITEM #: 77  
PROPERTY OWNER: Frederick W. Krueger

LOCATION: W/S Bowleys Quarter Road, 140' S centerline of Burke Road (#1528 Bowleys Quarter Road)  
ELECTION DISTRICT: 15th  
COUNCILMANIC DISTRICT: 5th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

( ) PARKING LOCATION ( ) RAMP (degree slope)  
( ) NUMBER PARKING SPACES ( ) CURB CUTS  
( ) BUILDING ACCESS ( ) SIGNAGE

( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

( ) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

(X) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS. See note below.

( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - If the proposed apartments use did not acquire permits, provide exits fire separation between tenants and other Life Safety items then a permit shall be made to comply to the current bldg code. Life Safety features (see below) PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

\* FOR AN R-2 USE GROUP.

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: September 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for September 11, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 51, 67, 72, 74, 75, 76, 77, 79, 81.

For 80-560-spa - Pizza Palace, 39 York Road - the previous County Review Group comments still apply.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E. Chief  
Developers Engineering Division

RWB:s



91-131-A

3605 Woodlea Ave  
Baltimore 21214

91-131-SPH

PROTESTANT'S  
EXHIBIT 1 91-131SPH



